

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

for the

SOUTHERN DISTRICT OF TEXAS

JUN - 6 2015

United States of America

v.

David J. Bradley, Clerk

Case No. M-15-0922-M

ALVAREZ, ABRAHAM

YOB: 1989

POB: Weslaco, TX USC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 6/5/2015 in the county of Hidalgo in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess with intent to distribute approximately 223.5 kilograms of marijuana, a schedule I controlled substance.

This criminal complaint is based on these facts:

On June 5, 2015, at approximately 3:27 p.m., United States Border Patrol Agent Artemio Quiroga was monitoring a surveillance camera activation in south Donna, Texas, and observed several subjects carrying what appeared to be bundles of contraband. Agent Quiroga reported the activity to ground units. Agent's David Kasko and Rocky Ramirez responded to the area. Agent Kasko was driving westbound on Highway 281 towards Krenmueller Road when he observed a brown Chevrolet Tahoe traveling northbound on Krenmueller Road towards Highway 281 away from the camera activation area. Agent Kasko turned onto Krenmueller Road and stopped on the roadway. (Continued on Attachment I)

☒ Continued on the attached sheet.

Complainant's signature

Marteiz Benas, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/6/2015City and state: McAllen, Texas

Judge's signature

, Magistrate Judge PETER E. ORMSBY

Printed name and title

Attachment I

As Agent Kasko stood by the intersection the Chevrolet Tahoe approached him and drove passed his unit. Agent Kasko observed a male driver, later identified as Abraham Alvarez wearing a bright red shirt driving the Chevrolet Tahoe and what appeared to be bundles of contraband within the vehicle. Agent Kasko observed the Chevrolet Tahoe accelerate rapidly toward and through the intersection, failing to yield the right of way to highway traffic and turned eastbound on Highway 281. Agent Kasko activated his emergency lights and siren and proceeded to pursue the Chevrolet Tahoe. The Chevrolet Tahoe continued eastbound on Highway 281 and turned northbound on FM 493. The Chevrolet Tahoe continued northbound on FM 493 and turned westbound on Mile 3 Road. The Chevrolet Tahoe continued westbound on Mile 3 Road and then turned northbound on River Road. The Chevrolet Tahoe continued northbound on River Road and then turned westbound on Ivey Road. The Chevrolet Tahoe then turned northbound on Val Verde Road until stopping approximately 300 yards south of Stites Road. Agent Kasko observed the driver, Abraham Alvarez (wearing that bright red shirt) exit the Chevrolet Tahoe and absconded on foot into the vegetation alongside the roadway. Agent Kasko maintained visual contact of the vehicle for the duration and entirety of the pursuit. Agent Kasko and assisting agents pursued Alvarez on foot into the vegetation. Agent Kasko ordered Abraham Alvarez to surrender or he would Taze him with his department issued Tazer. Alvarez complied and responded "I'm right here, I surrender." Agent Kasko took Alvarez into custody without incident. A search of the area revealed that Abraham Alvarez was the only subject in that area during this time.

The Chevrolet Tahoe, Abraham Alvarez, and the marijuana bundles were transported to the Weslaco Border Patrol Station, where the marijuana was processed which weighed 223.5 Kilograms (492.73lbs).

On the same date, at approximately 7:51 p.m., SAs Martez Benas and TFA Gilbert Sotelo made contact with the subject at the Weslaco Border Patrol Station. TFA Sotelo as witnessed by SA Benas read the subject his Miranda Rights in his preferred language of English. Abraham Alvarez invoked his Miranda Rights by requesting an attorney. No further questions were asked of Abraham Alvarez